Dear Jim, Howard 9/14/76

Howard phoned last night. We had a long talk, sort of a celebration. Much to celbrate. He got his clerkship and a 4. average and he has just sent back the page proofs to his delayed new book. It is again by that loser, Fairleigh-Dickinson and is his thesis on the early history of the cold war. (Aud guess who turned him that way!)

I've forgotten the name of the appeals judge. He is a Johnson appointee from Jacksonville, where Howard will spend most of his time beginning about March. They will, of course, sit in New Orleans.

One of the thinks that this judge liked is Howard's writing style. So you know even more who'll be drafting the decisions. Howard's application mentioned his book. The judge wanted to read it. He read the intro and went on a European vacatio n, taking it along. He liked it much, has talked to his fellow judges about it and they are reading it.

Howards law review piece on FOIA is due soon. He thinks it will be helpful, particularly there, where the judges suspect but are at a loss on how to cope with federal crookedness.

He's read the 75-226 transcripts and accused me of being overly kind to Pratt in Post Mortem. The transcripts tell Howard he is a worse person and a worse judge than I portrayed.

We discussed 75-1996 and my concerns as I've discussed them with you. He agrees that unless we turn this now it will be interminable and favors a strong immediate effort of the kind I suggested. He also says that the alternative is no worse than what we can now expect, that it will drag on and eventually we'll get the same stuff or perhaps some less. He also says that this is a time for vigorous fighting by counsel when the non-compliance is this flagrant after so long a time and seven status calls.

Next semester - he's now on the break - he'll be teaching some, I guess sort of a teaching assistantship plus. He will be doing other than grading papers. I've forgotten the details. But it gives him some income, not just the kudos.

If he has plans for after the end of the clerkship he did not mention them. I rather think he'll go into a practise.

I suggested he use his Maryland speech at Wisconsin. He says he had this in mind, with a few changes. I'll probably stay in Wisconsin until he gets there. It will mean only one extra day. Maybe Dave will let me introduce him. I'd like to.

As you know, we've always been proud of Howard. I'm particularly pleased that I was able to interest him in the law when his father had tried and failed. However, his liking is not that for which I thought he'd be best suited. He wants to practise criminal law. I could see Howard as another Boudin in appeals work. We'll see. He'll now be learning more about appeals.

Of course we grow more and more proud of him.

Maybe there's more but I've forgotten. Just so you'd know. Almost mail time.

best,